GOLDSTEIN ISAACSON, PC
Andrew J. Goldstein (AG-1750)
100 Morris Avenue, 3rd Floor
Springfield, New Jersey 07081
Telephone No. (973) 258-0500
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Lakeland Bank, a New Jersey Charter State Bank, with its principal place of business at 250 Oak Ridge Road, Oak Ridge, New Jersey 07438,	Civil Action No. 07-CIV-6823
Plaintiff,	**REQUEST FOR ENTRY OF DEFAULT AGAINST EDWIN AND RITA RYBACKI, IN PERSONAM**
-vs- TAYLOR BABY in rem, EDWIN RYBACKI, in personam, RITA RYBACKI, in personam, and MARC RYBACKI, in personam	
Defendants.	

The Summons and Complaint were served upon the defendants Edwin and Rita Rybacki, by a process server on October 17, 2007. (See proof of service and letter to defendants giving further notice of action pending, annexed hereto). No extension of time has been granted or responsive pleading received.

WHEREFORE, it is requested that default be hereby entered against the defendants, Edwin and Rita Rybacki, in personam, with costs and attorney fees.

_____
ANDREW J. GOLDSTEIN, ESQ.

Dated: 01/03, 2008

District COURT OF THE S   E/CITY OF NEW YORK
COUNTY OF: __SOUTHERN NY__ ATTORNEY: __ANDREW J. GOLDSTEIN, ESQ.__

2007090716283 1

LAKELAND BANK
- against -
TAYLOR BABY, ET AL

Petitioner(s)	**AFFIDAVIT**
Plaintiff(s)	**OF SERVICE**
Respondent(s)	
Defendant(s)	INDEX#
	07 CIV 6823

STATE OF: NEW JERSEY - COUNTY OF: UNION ss:

__MALGORZATA SLADEK__, being duly sworn deposes and says deponent is not a party to this action, is over the age of 18 and resides in __NY__
That on date/time: __10/17/2007 08:00PM__, at __2848 LINDALE STREET WANTAGH NY__
deponent served the within: __SUMMONS AND COMPLAINT, WARRANT FOR ARREST__
[ ] Summons, Spanish summons & complaint, the language required by NRCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)

On: __RITA RYBACKI__

[X] Defendant [ ] Respondent [ ] Witness (hereinafter called the recipient) therein named.

INDIVIDUAL
A [ ]
ARREST

By personally delivering to and leaving with said __RITA RYBACKI__
and that he knew the person so served to be the person mention and described in said __SUMMONS AND COMPLAINT, WARRANT FOR__

CORPORATION
B [ ]

By delivering to and leaving with _____
at _____
and that he knew the person so served to be the __SON__ _____
_____ of the corporation.

SUITABLE
AGE PERSON
C [X]

Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:
By delivering a true copy thereof to and leaving with __MARC RYBACKI__
a person of suitable age and discretion at __2848 LINDALE STREET WANTAGH NY__
the said premises being the recipient's [X] Dwelling/Usual place of abode [ ] Actual place of business within the State of New York.

AFFIXING TO
DOOR, ETC.
D [ ]

By affixing a true copy thereof to the door of said premises, the same being the recipient's
[X] Dwelling/Usual place of abode [ ] Actual place of business within the State of New York. Deponent had previously attempted to serve
the above named recipient on/at: 1. 09/10/2007 07:40PM   2. _____   3. _____
Deponent spoke with _____ who stated to deponent that the said recipient(s)
lived at the aforementioned address, but did not know recipient's place of employment.

MAILING TO
RESIDENCE
E [X]
Use with C or D

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
to recipient's last known residence at __2848 LINDALE STREET WANTAGH NY__
and deposited said envelope in an official repository under the exclusive care and custody of the US Postal Service
within New York State on __10/17/2007__.

MAILING TO
BUSINESS
E2 [ ]
Use with C or D

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
to recipient's actual place of business at _____
in an official repository under the exclusive care an custody of the US Postal Service within New York State. The envelope bore the
legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication
was from an attorney or concerned an action against the recipient and mailed on __10/17/2007__.

F [X]

DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.
DESCRIPTION OF THE RECIPIENT OR OTHER PERSON SERVED OR SPOKEN TO ON BEHALF OF THE RECIPIENT IS AS:

VOID WITHOUT
DESCRIPTION
Use with A,B,C,D

[X] Male	[X] White Skin	[X] Black Hair	[ ] White Hair	[ ] 14 - 20 Yrs.	[ ] Under 5'	[ ] Under 100 Lbs.
[ ] Female	[ ] Black Skin	[ ] Brown Hair	[ ] Balding	[ ] 21 - 35 Yrs.	[ ] 5'0" - 5'3"	[ ] 100 - 130 Lbs.
	[ ] Yellow Skin	[ ] Blonde Hair	[ ] Moustache	[X] 36 - 50 Yrs.	[ ] 5'4" - 5'8"	[ ] 131 - 160 Lbs.
	[ ] Brown Skin	[ ] Gray Hair	[ ] Beard	[ ] 51 - 65 Yrs.	[X] 5'9" - 6'0"	[X] 161 - 200 Lbs.
	[ ] Red Skin	[ ] Red Hair	[ ] Glasses	[ ] Over 65 Yrs.	[ ] Over 6'	[ ] Over 200 Lbs.

Other identifying features: _____

WITNESS FEE
G [ ]

Witness fee of $0 the authorizing traveling expenses and one day's witness fee:
[ ] was paid (tendered) to the recipient [ ] was mailed to the witness with subpoena copy.

MILITARY
SERVICE
[X]

I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any
capacity whatsoever and received a negative reply. Defendant wore civilian clothes and no military uniform. The source of my
information and the grounds of my belief are the conversations and observations above narrated.

Subscribed and Sworn to me this

__17__ _____ day of __October__ _____, 2007

Notary Signature: _____

JANIRA SANTIAGO VELEZ
NOTARY PUBLIC OF NEW JERSEY
Name of Notary _Commission Expiration_
My Commission Expires April 24, 2012

I, _____ __MALGORZATA SLADEK,__
was at the time of service a competent adult
not having a direct interest in the litigation.
I declare under penalty of perjury that the
foregoing is true and correct.

_____ __10/17/2007__
Signature of Process Server   Date

R R

JUSTICE _____ COURT OF THE S   E/CITY OF NEW YORK
COUNTY OF: **SOUTHERN NY** ATTORNEY: **ANDREW J. GOLDSTEIN, ESQ.**

||||||||||||||||||||||||||||||||||||||||
20070909 16272 7

LAKELAND BANK - against - **TAYLOR BABY, ET AL**	Petitioner(s) Plaintiff(s) Respondent(s) Defendant(s)

AFFIDAVIT OF SERVICE

INDEX#
07 CIV 6823

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[ ] Summons, Spanish summons & complaint, the language required by NRCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)

On: **EDWIN RYBACKI**

[X] Defendant   [ ] Respondent   [ ] Witness (hereinafter called the recipient) therein named.

INDIVIDUAL
A   [ ]
ARREST

By personally delivering to and leaving with said **EDWIN RYBACKI**
and that he knew the person so served to be the person mention and described in said **SUMMONS AND COMPLAINT, WARRANT FOR**

CORPORATION
B   [ ]

By delivering to and leaving with _____
at _____
and that he knew the person so served to be the **SON** _____ of the corporation.

SUITABLE
AGE PERSON
C   [X]

Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:
By delivering a true copy thereof to and leaving with **MARC RYBACKI**
a person of suitable age and discretion at **2848 LINDALE STREET   WANTAGH NY**
the said premises being the recipient's [X] Dwelling/Usual place of abode [ ] Actual place of business within the State of New York.

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MAILING TO
RESIDENCE
E1   [ ]
Use with C or D

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
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and deposited said envelope in an official repository under the exclusive care and custody of the US Postal Service
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MAILING TO
BUSINESS
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Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient
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legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication
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F   [X]

DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.
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VOID WITHOUT
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Witness fee of $0   the authorizing traveling expenses and one day's witness fee:
[ ] was paid (tendered) to the recipient   [ ] was mailed to the witness with subpoena copy.

MILITARY
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I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any
capacity whatsoever and received a negative reply. *Defendant wore civilian clothes and no military uniform.* The source of my
information and the grounds of my belief are the conversations and observations above narrated.

Subscribed and Sworn to me this

17 _____ day of **October** , 2007

Notary Signature: _____ /SULL3/
JANIRA SANTIAGO VELEZ
NOTARY PUBLIC OF NEW JERSEY
Name of Notary   My Commission Expires April 24, 2012

I, _____ **MALGORZATA SLADEK**,
was at the time of service a competent adult
not having a direct interest in the litigation.
I declare under penalty of perjury that the
foregoing is true and correct.

_____ 10/17/2007
Signature of Process Server   Date

SM 78

GOLDSTEIN ISAACSON, PC

ATTORNEYS AT LAW

100 MORRIS AVENUE

3rd FLOOR

SPRINGFIELD, NEW JERSEY 07081

TEL: (973) 258-0500

FAX: (973) 258-0707

WWW.GOLDISAAC.COM

October 30, 2007

Via Certified Mail and Regular Mail

Rita Rybacki
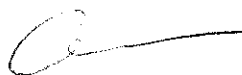3248 Lindale Street
Wantagh, New York 11793

Re: **Lakeland Bank v. Edwin & Rita Rybacki, et als.**
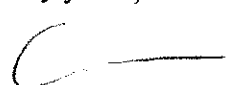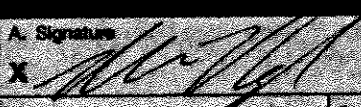**Civil Action No. 07-CIV-6823**

Dear Mrs. Rybacki:

The Summons with Complaint attached was served upon you or a member of your family by a process server on or about October 17, 2007. Your response is due on or before November 6, 2007.

Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

ANDREW J. GOLDSTEIN

GOLDSTEIN ISAACSON, PC

ATTORNEYS AT LAW

100 MORRIS AVENUE

3rd FLOOR

SPRINGFIELD, NEW JERSEY 07081

TEL: (973) 258-0500

FAX: (973) 258-0707

WWW.GOLDISAAC.COM

October 30, 2007

Via Certified Mail and Regular Mail

Edwin Rybacki
3248 Lindale Street
Wantagh, New York 11793

Re: **Lakeland Bank v. Edwin & Rita Rybacki, et als.**
Civil Action No. 07-CIV-6823

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